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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,555	02/19/2004	Yoshihiko Yokoyama	2004-0234A	1708

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WENDEROTH, LIND & PONACK, L.L.P.  
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SUITE 800  
WASHINGTON, DC 20006-1021

EXAMINER
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CHU, KIM KWOK

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/13/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/780,555	<b>Applicant(s)</b> YOKOYAMA ET AL.	
	<b>Examiner</b> Kim-Kwok CHU	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-11 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

2. Claims 1-3, 6-11 and 14-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Song et al. (U.S. Patent 6,091,553).

3. Song teaches an actuator for an optical pickup having all the elements and means as recited in claims 1 and 9. For example, Song teaches the following:

(a) with respect to Claim 1, a track coil 54 for driving a lens member 42 to move inward or outward in a diameter direction of an optical disk (Fig. 3), wherein at least part of the track coil 54 is placed in a position closer to an optical axis than an end portion of the lens member 42 (Fig. 3; the size of the lens member is larger than the inner diameter of the tracking coil).

(b) Claim 9 has limitations similar to those treated in the above rejection, and is met by the reference as discussed above.

4. Song teaches an actuator for an optical pickup having all the elements and means as recited in claims 2, 3, 10 and 11. For example, Song teaches the following:

(a) with respect to Claim 2, magnets 30, 30' placed in such a manner that magnetic pole surfaces thereof face each other (Fig. 3); a focus coil 52a for driving a lens member to move close to or away from an optical disk (Fig. 1; column 2, line 1); and a track coil 54 for driving the lens member to move inward or outward in a diameter direction of the optical disk (Fig. 3), wherein at least one of the focus coil 52a and the track coil 54 has a wound line shape such that sides thereof facing the magnetic pole surfaces are sides parallel to the magnetic pole surfaces, respectively (Figs. 1-3; coils are arranged next/parallel their respective magnets), and portions which join both ends of the facing sides partially bulges outward in the diameter direction (Fig. 1; coils are wound in outward direction).

(b) Claim 3 has limitations similar to those treated in the above rejection, and is met by the reference as discussed above. Claim 3 however also recites the following limitation which is also taught by the prior art of Song et al. such as: at least part of the track coil 54

is placed in a position closer to an optical axis than an end portion of the lens member 42 (Fig. 3).

(c) Claim 10 has limitations similar to those treated in the above rejection, and is met by the reference as discussed above.

(d) Claim 11 has limitations similar to those treated in the above rejection, and is met by the reference as discussed above. Claim 11 however also recites the following limitation which is also taught by the prior art of Song et al.: at least part of the track coil 54 is placed in a position closer to an optical axis than an end portion of the lens member 42 (Fig. 3).

5. Song teaches an actuator for an optical pickup having all the elements and means as recited in claims 6 and 14.

For example, Song teaches the following:

(a) with respect to Claim 6, a holder 40 having, on a surface facing an optical disk, a holding portion for holding an outer peripheral portion of a lens member 42 from a side of one surface of the lens member whose other surface faces the optical disk (Fig. 1), and an opening portion for an optical path about an optical axis of the lens member 42, inside the holding portion in a diameter direction, the holder 40 further having, around the optical path, a bobbin portion for winding a focus coil 52a, and a bobbin portion for winding a track coil 54 around which the track coil 54 is wound about an axis (vertical direction) parallel to a side of a wound line shape of the focus coil 52a (Fig. 1).

(b) Claim 14 has limitations similar to those treated in the above rejection, and is met by the reference as discussed above.

6. Song teaches an actuator for an optical pickup having all the elements and means as recited in claims 7, 8, 15 and 16. For example, Song teaches the following:

(a) with respect to Claim 7, a lens holder 40 for holding a lens member 42 (Fig. 1); and a track coil 54 for driving the lens member 42 to move inward or outward in a diameter direction of an optical disk (Fig. 3), wherein an outer end portion of the lens holder 40 in the diameter direction of the optical disk is placed in a position closer to an optical axis than an end portion of the lens member (Fig. 3; the lens supporting hole in the lens holder must be smaller than the diameter of the lens).

(b) with respect to Claim 8, a portion of the lens member held by the lens holder is a flange (Fig. 3 lens supporting means is a rim in order to support the lens).

(c) Claims 15 and 16 have limitations similar to those treated in the above rejection, and are met by the reference as discussed above.

7. Song teaches an apparatus for reading or recording information from or to an optical disk having all the elements and means as recited in claim 17. For example, Song teaches the following:

(a) with respect to Claim 17, an optical pickup comprising a lens member 42 and a track coil 54 for driving the lens member 40 to move inward or outward in a diameter direction of the optical disk (Fig. 1), wherein at least part of the track coil 54 is placed in a position closer to an optical axis than an end portion of the lens member (Fig. 3).



**Allowable Subject Matter**

8. Claims 4, 5, 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

As in claims 4, 5, 12 and 13, the prior art of record fails to teach or fairly suggest at least one of the focus coil and the track coil has a wound line in hexagon shape.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

**Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kato et al. (6,542,,319) is pertinent because Kato teaches a coil wound around an object lens in an optical axis direction.

11. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington, can be reached on (571) 272-4483.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

Kim-Kwok CHU

*lc* 3/6/2007  
Examiner AU2627

March 6, 2007

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SUPERVISORY PATENT EXAMINER